

REMARKSAmendments to Claims

Applicant respectfully submits that the amendments to Claims 1, 6, 11, 16, and 21 find support in the specification as originally filed. Specifically, support is found on Pages 3, 4 and 9 of the specification. Therefore, Applicant respectfully submits that no new matter has been added by these amendments.

Claim Objections

Claims 2, 3, 4, 7, 8, 9, 12, 13, 14, 17, 18, 19, 23, 24, and 25 stand objected to because the definitions of the variables in the equation are not defined in the claims.

Claims 2, 4, 7, 9, 12, 14, 17, 19, 23, and 25 have been canceled. Therefore, Examiner's objection to Claims 2, 4, 7, 9, 12, 14, 17, 19, 23, and 25 is now moot.

Independent Claims 1, 6, 11, 16, and 21 have been amended to provide definitions of the variables in the equations of their respective dependent claims. Therefore, Applicant respectfully submits that Claims 8, 13, 18, and 24 are currently in condition for allowance. Reconsideration and withdrawal of the objection is respectfully requested.

Claim Rejections – 35 U.S.C. §112

Claims 4, 9, 14, 19, and 25 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 4, 9, 14, and 25 have been canceled. Therefore, Examiner's rejection of Claims 4, 9, 14, and 25 is now moot.

Claims 23, 24 and 25 stand rejected to for failing to provide sufficient antecedent basis for "router" in line 1.

Claims 23 and 25 have been canceled. Therefore, Examiner's rejection of Claims 23 and 25 is now moot.

Claim 24 has been amended to overcome the rejection, reciting the "machine-readable medium of claim 22 ...." Therefore, Applicant respectfully submits that Claim 24 is currently in condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 22 and 24 stand rejected to for failing to provide sufficient antecedent basis for "said second value" in line 1.

Claim 22 has been amended to provide sufficient antecedent basis for "said second value," reciting the "machine-readable medium of claim 21 ...."

Claim 24 has been amended to provide sufficient antecedent basis for "said second value," reciting the "machine-readable medium of claim 22 ...."

Therefore, Applicant respectfully submits that Claims 22 and 24 are currently in condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 23 stands rejected to for failing to provide sufficient antecedent basis for "said first value" in line 1.

Claim 23 has been canceled. Therefore, Examiner's rejection of Claim 23 is now moot.

#### Claim Rejections – 35 U.S.C. §102

Claim 1, 6, 11, 16, 21, and 22 stand rejected under 35 U.S.C. §102(e) as being anticipated by Stiliadis and Varma (US 6,134,217).

Directing Examiner's attention to MPEP 2131, the threshold issue under Section 102 is whether the Examiner has established a *prima facie* case for anticipation. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)". "The identical invention must be shown in as complete detail as is contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1566 (Fed. Cir. 1989).

Claim 1 has been amended to include the subject matter of Claim 2, reciting a method for queuing packets for transmission "wherein said first value comprises a sequence number S having a value of  $S = (W + (T * D) \gg \text{scale}) \% N$ , wherein W is the sequence number of the last packet transmitted, T is a service factor, D is the size of each said packet, scale is a divisor for (T\*D) factor such that S does not wrap around too quickly, and N is the range of sequence numbers."

Stiliadis et al. does not teach these limitations. Applicant cannot find, nor has Examiner cited, any mention in Stiliadis of a sequence number S having a value of  $S = (W + (T * D) \gg \text{scale}) \% N$ , as recited in Claim 1. In fact, on Page 6 of the Office Action dated June 10, 2005, Examiner states that "Claims 2, 3, 5, 7, 8, 10, 12, 13, 15, 17, 18, 20 ... would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Therefore, Applicant respectfully submits that Stiliadis fails to disclose each and every element of Claim 1, and that Claim 1 is currently in condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested.

The same arguments made above with respect to the patentability of Claim 1 are applicable to the patentability of Claims 6, 11, 16, and 21 as well since Claims 6, 11, 16,

and 21 have been amended to include the allowable subject matter cited by Examiner on Page 6 of the Office Action dated June 10, 2005. Therefore, Applicant respectfully submits that Claims 6, 11, 16, and 21 are currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

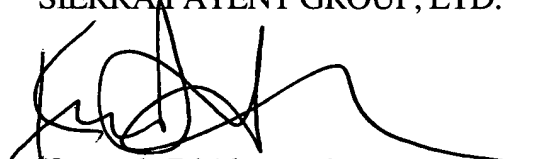
Since Claim 22 depends from Claim 21, Applicant respectfully submits that Claim 22 is also patentable as it contains the same limitations as Claim 21. Therefore, Applicant respectfully submits that Claim 22 is currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

If the Examiner has any questions regarding this application, the Examiner may telephone the undersigned at 775-586-9500.

Respectfully submitted,  
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